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		linventors, we hereby declare that:			TECH CENTER 1600/290
	Our residence, post	office address and citizenship are at OP the original, first and joint inventor	s stated below next to our	r names; bisk is claimed and for W	• •
	We believe we are	the original, first and joint inventor	of the subject matter w	Bicii is ciambed and and	
invention	entitled _APC.AN	TIBODIES			
	•	1	00 do		
the speci	fication of which	R MAR 1 5 2	וויו וויטי		
	is attache		as Application Serial Nu	mbcr 08/452,654	and was amended on
	was filed	UIIIII	L'S		
	 ~	(if applicable).	Pir S		. It is the assembled
		t we have reviewed and understand t	he contents of the above i	dentified specification, in	cluding the claims, as amended
	We hereby state the	a shove			
ph ana s	mendment referred t	5 acc v c.		1 U.S. Cdomes to	in Title 37 Code of Federal
	We acknowledge	the duty to disclose information w	hich is material to pater	otability in accordance w	7 m 7 mc 37, 0000 01 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Demilat	ions, §1.56(a).				
Kegmar	10113, \$1.13 - (-).	Daine E	oreign Application(:	()	
				. 10 - Carry Greating applic	ation(s) for palcut or inventor's
	We hereby claim for	oreign priority benefits under Title 3 ave also identified below any foreign	5, United States Code, 9	t or inventor's certificate	having a filing date before that
certifica	ate listed below and b	are also identified perow and interes	n application(s) for paten	TO MICHIGAN	_
of the a	pplication on which p	priority is claimed:			
	Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 U.S.C. §119
1			(12), 1201112)		V250
	! ! ! ! !	9100962.1	16/01/91		YES
<u> </u>	United Kingdom	3100302.5			YES
	United Kingdom	9100963.9	16/01/91		
-	<u> </u>	0100071	16/01/91		YES
· • • • • • • • • • • • • • • • • • • •	United Kingdom	9100974.6	100171		2000
	* * . * * * *	9100975.3	16/01/91		YES
L	United Kingdom				
		Prior Uni	ted States Applicati	on(s)	_
		benefit under Title 35, United State	Code 6120 of any Un	ited States application(6)	listed below and, insofar as the
	uz- hereby claim the	benefit moet Time 33, Omice onto		2 m	the manner provided by the tirst

subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

apparcadon.		
Application Serial Number	Date of Filing (Doy, Menth, Year)	Status — Patented, Pending, Abandoned

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e) of any provisional application for patent listed below and have also identified below any provisional application for patent having a filing date before that of the application on which priority is claimed:

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Provisional Application Number	Date of Filing (day, month, year)	Priority Claimed Under 35 U.S.C. §119(e)

- (1) We believe that the riginal patent which issued on this application, U.S. 5,691,454, is wholly or partially inoperative or invalid because of the following defects in the specification:
 - the amino acid sequence provided for the APC protein in SEQ ID NO:7 of the sequence listing contains a minor error; and
 - the specification refers to overlapping APC cDNA clones as "defining an ORF of 2842 amino acids" (column 4, line 31) or as coding "for a 2842 or 2844 amino acid peptide" (column 31, lines 32-33), rather than the correct number of 2843 amino acids.
- (2) The correction of SEQ ID NO:7 is supported by the specification. The missing proline at position 173 in SEQ ID NO:7 is supported in the specification by the proline which is present at position 173 in SEQ ID NOS:1 and 2 and in Figure 3. In addition, routine analysis of YAC 37HG4 deposited as NCIMB 40353, referred to at column 12, lines 35-39 of U.S. Patent 5,691,454 establishes that there is, indeed, a proline at codon 173. The deposit was made under the terms of the Budapest Treaty. (See declaration of Dr. Sarah Kagan, of record in Serial No. 08/452,654, filed February 14, 1996.) One of ordinary skill in the art would have recognized the omission of the proline in SEQ ID NO:7 as a minor error by noting the inconsistency between the amino acid sequences presented in Figure 3 and in SEQ ID NOS:1 and 2 with that in SEQ ID NO:7.
- (3) The error at column 4, line 31, referring to "an ORF of 2842 amino acids," occurred because of the inadvertent omission of the proline at position 173 in originally filed Figure 3. The omission of this proline resulted in the APC protein being described in the specification as having 2842 rather than 2843 amino acids.
- (4) The error at column 31, lines 32-33, referring to a "2842 or 2844 amino acid peptide," occurred as follows. The application which issued as U.S. Patent 5,691,454 originally contained eight figures. In Figure 7 as originally filed, three supernumerary nucleotides were added at nucleotide positions 3972 (C), 3981 (G), and 3996 (A). As a result, the predicted amino acid sequence was erroneously stated to be "Ser Ser Val His Ser Thr Leu Glu" rather than "Ala Val Ser Gln His Pro Arg" at positions 1325 to 1331. This error resulted in an apparent sequence for the APC protein of 2844 amino acids. In combination with the omission of the proline at position 173 in originally filed Figure 3, this error resulted in the APC protein being described in the specification as a "2842 or 2844 amino acid peptide." Originally filed Figure 7 was canceled during prosecution of Serial No. 08/452,654, which issued as U.S. Patent 5,691,545.
- (5) Correction of the number of amino acids in the APC protein does not add new matter to the specification. It merely renders consistent the number of amino acids shown in SEQ ID NOS:1 and 2 and the number of amino acids referred to in the specification.
- (6) All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intent on the part of the applicants.
- (7) We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys who are all members of the Bar of the District of Columbia, their registration numbers being listed after their names:

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